



THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

Wolf-Georg FORSSMANN et al.

Serial No.: 09/508,095

Group Art Unit: 1653

Filed: March 16, 2000

Examiner: F. Moezie

For: BIFIDOGENIC PEPTIDES

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Commissioner of Patents
Washington, DC 20231

Sir:

Applicants submit the instant paper in response to the Office Action mailed August 30, 2001.

REMARKS

According to the Office Action, Restriction is required under PCT Rule 13.1 and PCT Rule 13.2. Pursuant to the Restriction, Applicants elect invention Group I, claims 1, 4 and 5, with traverse. In that Applicants elect Group I, pursuant to the additional Restriction Requirement, Applicants elect, with traverse, the following peptide sequence:

R₁-ARRARVVWAAVG-R₂.

Seq 3d 22

Traverse is maintained with respect to the requirement for Restriction between Group I, claims defining peptide sequences, and Group II, claims defining nucleic acid coding sequences, because the nucleic acid sequences of Group II encode the peptide sequences of Group I. Restriction is required between Group I and Group II inventions, allegedly, "because, under PCT Rule 13.2, they lack the same or corresponding special technical features"